

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
MARCH 20, 2006**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor George Morren at 7:30 PM. Mayor Morren led the Pledge of Allegiance to the Flag followed by a moment of silent meditation. Mayor Morren stated that the meeting has been properly advertised in the December 17, 2005, issue of the Somerset Messenger Gazette and is being held in accordance with the Open Public Meetings Act.

Roll Call: Mr. Brian Griner-present, Mr. Brad Merritt-present, Mr. Jared Witt-present, Mr. Edward Zimmerman-present

Absent: Mr. Richard Batchelder, Ms. Eileen Uhrik

Also present: Borough Clerk Raymond Whitlock, Borough Attorney Albert Cruz

DEDICATION OF AMBULANCE – Mr. Cliff Moore presented Mayor and Council with a photograph of the recently donated ambulance by the Borough as provided by the Chief of the Fontainebleau Volunteer Fire Company in Mississippi.

APPROVAL OF REGULAR MINUTES

Motion to approve the regular minutes of the March 6, 2006, meeting was made by Merritt with a second by Zimmerman. Motion carried on roll call vote – all ayes; Griner-abstain.

PUBLIC COMMENTS

Mark Germaine, 15 Washington St. – Mr. Germaine questioned the provisions of the contract with the South Bound Brook Police Department as to whether the officers are precluded from responding to incidents other than traffic incidents. He is requesting that provisions be included in the contract to ensure that officers be required to respond to incidents of all emergency nature while on patrol within the Borough.

Connie Hallman, 26 Montgomery Ave. – Ms. Hallman expressed support of the continuance of the contract with South Bound Brook Police Department noting that the primary reason for retaining their services was for traffic control, however, she believes that a more definitive interpretation of the officers' responsibilities while on duty within the Borough should be spelled out either in the contract or by the Chief of Police.

Hearing no other comments/questions, the floor was closed to the public.

STATE POLICE REPORT – None to present at this time.

TREASURER'S REPORT – Carried to April meeting.

APPROVAL OF VOUCHERS/BILL LIST

Resolution

WHEREAS, the Treasurer has certified that sufficient funds are available to pay said vouchers, BE IT, THEREFORE, RESOLVED, that the following vouchers be approved for payment. Motion to approve the resolution was made by Merritt with a second by Witt. Motion carried on roll call vote – all ayes. (See Appendix 1 for Bill List). In response to questioning by Messrs. Griner and Witt as to the amount of monies expended and anticipated to be spent on the WAWA litigation matter, Mayor Morren will report back with these figures.

SPECIAL BUSINESS

Resolution – Extension of Temporary Budget through April 2006 – Motion to approve the resolution was made by Zimmerman with a second by Merritt. Motion carried on roll call vote – all ayes. (Appendix 2 attached).

Resolution – Extension of South Bound Brook Interlocal Services Agreement for Police Services – Resolution presented to extend the agreement until such time as a final contract is provided by South Bound Brook. Attorney Cruz indicated that it is anticipated that the contract should be finalized in April. Mr. Merritt stated that while he agrees that the department does a good job, he expressed his displeasure with the lack of communication offered by representatives of the South Bound Brook Police Department with the Borough, i.e. lack of representation and/or reports to Mayor and Council. A request will be made by the Mayor to the Chief of Police to appear before Mayor and Council to answer questions about police practices and the carjacked victim incident involving the SBB police officer while on patrol within the Borough. Motion to approve the resolution was made by Witt with a second by Zimmerman. Roll call: Griner-aye, Merritt-nay, Witt-aye, Zimmerman-aye. Motion carried. (Attached as Appendix 3)

Resolution – Person to Person Transfer of the Liquor License of the Rocky Hill Pub – Clerk Whitlock advised all required paperwork has been submitted along with an affidavit that has been provided by the prospective purchasers of the Pub attesting to having no criminal record. The affidavit has been provided due to the fact that the criminal background of these individuals has not been received to date by the NJSP. Attorney Cruz advised the affidavit is acceptable at this time advising that the license may be revoked by the Borough in the event any false information has been provided. Clerk Whitlock advised that the license is due for renewal in June and expects the criminal background report will be received from the NJSP before the granting of the renewal. The floor was opened to the public for comments/questions. Hearing none the floor was closed. Motion to approve the resolution was made by Zimmerman with a second by Merritt. Roll call: Griner-aye, Merritt-aye, Witt-aye, Zimmerman-aye. Motion carried.

Resolution – Opposing Senate Bill S1219 – Resolution in opposition of Senate Bill S1219 sponsored by Senator Robert Martin concerning certain amendments to the Open Public Meetings Act was presented. Carried to next meeting for consideration of approval.

COMMUNICATIONS:

Communications as listed on the agenda were discussed, disseminated and/or ordered filed. Mayor Morren noted copies of the Nature Trails Plans and request for funding as submitted to the DEP by Engineer Tanner are on file.

UNFINISHED BUSINESS:

Proposed Open Space Tax Ordinance – An overview of the open space tax proposal was provided to the public present noting that a reallocation of funds already expended for Green Acres projects and Van Horne Park will be earmarked for this tax. Mayor Morren stated that the commitment of an open space tax would entitle the Borough to higher priority consideration of funds through the Green Acres Program in the future. It was agreed that a resolution will be considered to have the question placed on the ballot for the general election after a figure has been provided as to the balance of the existing debt service for the Green Acres projects and an anticipated figure for maintenance on VanHorne Park. The issue of the need for a sunset provision will be further discussed.

Indemnification of Officials and Public Employees Draft – Attorney Cruz reported that he spoke with Insurance Agent Ted Merritt and was advised that there is a \$2500.00 deductible included in the Borough's insurance plan. The exclusions information has not been made available to date. Discussion carried to next meeting.

Borough Pavilion – In regard to the installation of the new pavilion, it was agreed by all that the shed (owned by the nursery school) should be relocated to the opposite side of the parking lot (by the Castaneda driveway). The nursery school has agreed to the relocation of same. Mr. Zimmerman will ensure that all zoning provisions are met.

NEW BUSINESS:

Spring Clean Up Date - Motion was made by Zimmerman with a second by Merritt to set the spring clean up date for Monday, May 1, 2006, with an alternate date of May 8, 2006. Motion carried on roll call vote – all ayes. The Community Group will schedule any proposed yard sale/book sale dates the week before clean up.

Community Policing Survey – Mr. Griner advised of a survey provided by the NJ State Police regarding community policing programs. Mr. Griner will seek further clarification as to the procedure for filling out and returning the surveys by the residents. It was noted that the surveys could be distributed along with the monthly newsletter from the Community Group.

Sewer Odor – Mr. Merritt advised that calls have been received regarding a strong sewer smell in the eastern part of town. He advised that Montgomery Township Public Works investigated the odor to no avail. Any future complaints should be directed to the Montgomery Township Police who will in turn notify the public works department for follow-up, or complaints may be forwarded directly to Mr. Merritt who will follow-up on same.

PUBLIC COMMENT

Connie Hallman, 25 Montgomery Ave., provided a damaged piece of post from a speed hump on Montgomery Ave. Ms. Hallman advised that the posts are consistently damaged by drivers attempting to avoid the speed humps. She requested that consideration be given to putting in a small section of curbing to help avoid this problem when the drainage work is done on Montgomery Ave. Ms. Hallman's request will be relayed to Mr. Uhrig for follow-up.

There being no further public comments/questions, the floor was closed to the public.

EXECUTIVE SESSION:

Motion by resolution to move into executive session was made by Witt with a second by Griner to discuss: Contract with Sunesys, Inc. Motion carried on roll call vote – all ayes. (8:53PM)

OPEN SESSION:

There being no results to report at this time, motion by resolution to return to open session at 9:05 PM was made by Merritt with a second by Witt. Motion carried on roll call vote – all ayes.

ADJOURNMENT:

Motion to adjourn the meeting at 9:05 PM was made by Griner with a second by Merritt. Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths
Deputy Clerk